HON'BLE SRI JUSTICE B.SUDERSHAN REDDY

AND

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.No.19983 of 2001

24-08-2005

Between:

A.Prabhakar .. Petitioner

And

Deputy Transport Commissioner &

Secretary, Regional Transport Authority,

Nizamabad. .. Respondent

HON'BLE SRI JUSTICE B.SUDERSHAN REDDY

AND

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.No.19983 of 2001

ORDER: (Per Hon'ble Sri Justice B.Sudershan Reddy)

Learned counsel for the petitioner states that the subject-matter that arises for consideration in this writ petition is covered by the judgment dated 14-02-2003 in Writ Petition No.15087 of 1996. Following the said judgment, this writ petition is allowed to the extent of declaring the levy of tax and demand in respect of additional seats at the rate of Rs.2,500/- per seat as illegal, being contrary to the decision of this Court in Md. NAWAB Vs. LICENSING OFFICER AND SECRETARY, R.T.A., VIJAYAWADA. The impugned demand notice is accordingly quashed. Consequently, there shall be direction directing the respondent herein to refund the amount of tax collected from the petitioner pursuant to the interim order of this Court to which he is entitled in view of our quashing the demand notice. The refund shall be made within a period of four weeks from the date of receipt of a copy of this order.

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B.SUDERSHAN REDDY, J

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RAMESH RANGANATHAN, J

24-08-2005

Note: Furnish copy in three days.

(b/o)

bsc